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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
Plaintiff,

v.

DALE N. FRANTZ,
Defendant.

NO. CR 10-5431 RJB
INFORMATION

The United States Attorney charges that:

COUNT 1
(Wire Fraud)

A. The Scheme and Artifice to Defraud

1. Beginning in or about May 2007, and continuing until in or about September 2009, at Tacoma and elsewhere, within the Western District of Washington, DALE N. FRANTZ devised and intended to devise a scheme and artifice to defraud and obtain money and property by means of materially-false and fraudulent pretenses, representations, promises, and the concealment of material facts.

2. The essence of the scheme and artifice to defraud was for DALE N. FRANTZ to fraudulently obtain money and property from his employer, Auto Warehousing Company ("AWC"), by submitting fake invoices and supporting documentation for reimbursement.

1 **B. Manner and Means of the Scheme and Artifice to Defraud**

2 3. In 1998, AWC hired DALE N. FRANTZ to perform information technology work
3 for the company. In 2002, AWC promoted DALE N. FRANTZ to the position of Chief
4 Information Officer ("CIO"). As the CIO, DALE N. FRANTZ was responsible for acquiring
5 computer equipment and services for the company. AWC authorized DALE N. FRANTZ to
6 acquire such equipment and services at his own expense, and to seek reimbursement from the
7 company. DALE N. FRANTZ worked at AWC's headquarters in Tacoma, Washington.

8 4. It was part of the scheme and artifice to defraud that DALE N. FRANTZ obtained
9 reimbursement from AWC by submitting fake invoices and supporting documentation that he
10 created falsely showing that goods and services had been purchased when in fact no goods and
11 services had been purchased.

12 5. It was further part of the scheme and artifice to defraud that DALE N. FRANTZ
13 obtained reimbursement from AWC by submitting invoices that he had altered falsely showing
14 that the purchase was for a higher amount than the actual purchase price.

15 6. It was further part of the scheme and artifice to defraud that DALE N. FRANTZ
16 submitted to AWC fake invoices and supporting documentation from Asyncritus Technology,
17 LLC, a corporate entity controlled by Michael Newman, for services that had not been
18 performed and goods that had not been provided. AWC issued checks to Asyncritus Technology
19 in response to the fraudulent invoices. DALE N. FRANTZ mailed these checks to Newman who
20 cashed them in an account that he maintained. On occasion, Newman wired a portion of the
21 funds back to DALE N. FRANTZ at the direction of DALE N. FRANTZ.

22 7. It was further part of the scheme and artifice to defraud that DALE N. FRANTZ
23 obtained over \$550,000 in fraudulent reimbursements from AWC through the manner and means
24 described above.

25 **C. Execution of the Scheme and Artifice to Defraud**

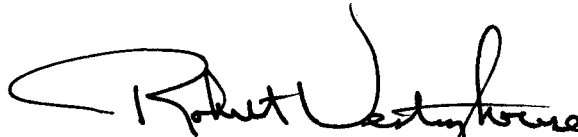
26 8. On or about the date set forth below, at Tacoma and elsewhere, within the Western
27 District of Washington, DALE N. FRANTZ, having devised the above-described scheme and
28 artifice, for the purpose of executing this scheme and artifice, did knowingly transmit and cause

to be transmitted by wire communication in interstate and foreign commerce writings, signs, signals, pictures, and sounds.

<u>Count</u>	<u>Date</u>	<u>Sender</u>	<u>Recipient</u>	<u>Wire Transmission</u>
1	05/28/09	Tyndall Federal Credit Union, on behalf of Michael Newman	Wells Fargo Bank, on behalf of DALE N. FRANTZ	Bank wire transfer of \$15,171.43, which traveled from Florida to Washington

All in violation of Title 18, United State Code, Section 1343.

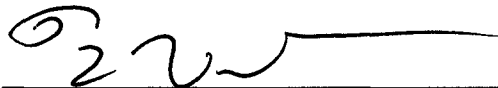
DATED this 29th day of June, 2010.



JENNY A. DURKAN
United States Attorney



ANDREW FRIEDMAN
Assistant United States Attorney



THOMAS M. WOODS
Assistant United States Attorney